

### **AMENDMENTS THE CLAIMS**

Please amend the claims as follows:

#### **Listing of Claims:**

Claims 1-18 (Canceled).

Claim 19 (Currently Amended): A mobile communication device, including a plurality of modes of operation related to incoming calls and a ring tone, at least one of body-related parameters of an user or environmental parameters of the mobile communication device being able to be captured by the mobile communication device by at least one of sensors or measuring devices, the mobile communication device comprising:

a selection module configured to evaluate the ~~at least one of the~~ body-related parameters of the user ~~or~~ and the environmental parameters of the mobile communication device; and

an operational mode module configured to adapt a respective mode of operation of the mobile communication device according to evaluation data for the ~~at least one of the~~ body-related parameters ~~or~~ and the environmental parameters, wherein

an environmental parameter for the environment of the mobile communication device that is able to be captured by the mobile communication device by sensors includes at least one of a noise level, an air temperature, or a light value for the surrounding area of the communication device.

Claim 20 (Previously Presented): The mobile communication device according to claim 19, wherein a body-related parameter of the user that is able to be captured by the mobile communication device by sensors includes at least one of a cardiac rhythm, an adrenaline level, an oxygen content of blood, a blood sugar content, a body position, a brain

activity, a type of movement, a direction of movement, a vocal activity, or a pitch of the voice of the user as body-related parameter.

Claim 21 (Cancelled).

Claim 22 (Previously Presented): The mobile communication device according to claim 19, wherein the mobile communication device further comprises a mobile radio device connectible to a communication network.

Claim 23 (Previously Presented): The mobile communication device according to claim 19, wherein the mobile communication device further comprises a play station connectible to a communication network.

Claim 24 (Currently Amended): The mobile communication device according to claim 19, wherein the mobile communication device further comprises an expert module, by which selection of the mode of operation by the user based on pattern recognition in dependence upon the ~~at least one of the~~ body-related parameters of the user ~~or~~ and environmental parameters for the mobile communication device is trainable.

Claim 25 (Previously Presented): The mobile communication device according to claim 24, wherein the expert module comprises at least one neural network for pattern recognition.

Claim 26 (Currently Amended): The mobile communication device according to claim 19, wherein the selection module comprises a predefinable threshold for triggering

alarm functions by the mobile communication device for the ~~at least one of the~~ body-related parameter ~~or~~ and for the environmental parameter.

Claim 27 (Previously Presented): The mobile communication device according to claim 19, wherein the mobile communication device comprises at least one sensor configured to be actuated by the user.

Claim 28 (Currently Amended): A method for controlling different modes of operation related to incoming calls and a ring tone of a mobile communication device, different operational functions being controlled through respective modes of operation of the mobile communication device, and at least one of body-related parameters of an user or environmental parameters of the mobile communication device being captured by the mobile communication device by sensors, the method comprising:

evaluating ~~determined at least one of the~~ body-related parameters of the user ~~or~~ and the environmental parameters of the mobile communication device by a selection module; and

adapting by an operational mode module respective modes of operation of the mobile communication device based on evaluation data for the ~~at least one of the~~ body-related parameters ~~or~~ and the environmental parameters, wherein

at least one of a noise level, air temperature, or light values of surrounding area is captured as the environmental parameters by the mobile communication device by at least one sensor.

Claim 29 (Previously Presented): The method for controlling different modes of operation of a mobile communication device according to claim 28, wherein at least one of a

heart rhythm, blood pressure, adrenaline level, oxygen content of blood, blood sugar content, body position, brain activity, type of movement, direction of movement, voice activity, or a pitch of the voice of a user is captured as the body-related parameters by the mobile communication device by at least one sensor.

Claim 30 (Cancelled).

Claim 31 (Previously Presented): The method for controlling different modes of operation of a mobile communication device according to claim 28, wherein a mobile radio device connectible to a communication network is used as the mobile communication device.

Claim 32 (Previously Presented): The method for controlling different modes of operation of a mobile communication device claim 28, wherein a play station connectible to a communication network is used as the mobile communication device.

Claim 33 (Currently Amended): The method for controlling different modes of operation of a mobile communication device according to claim 28, wherein an expert module is trained by pattern recognition based on selection of the mode of operation by the user in dependence upon the ~~at least one of the~~ body-related parameters of the user ~~or~~ and the environmental parameters of the mobile communication device, and is used for control of the selection of the modes of operation.

Claim 34 (Previously Presented): The method for controlling different modes of operation of a mobile communication device according to claim 33, wherein the expert module trains the pattern recognition using at least one neural network.

Claim 35 (Currently Amended): The method for controlling different modes of operation of a mobile communication device according to claim 28, wherein at least one threshold value is defined for the ~~at least one of the~~ body-related parameters ~~or~~ and the environmental parameters, whereby upon reaching the threshold value, an alarm function is triggered by the selection module.

Claim 36 (Previously Presented): The method for controlling different modes of operation of a mobile communication device according to claim 28, wherein at least one sensor is actuated by the user.

Claim 37 (Previously Presented): The mobile communication device according to claim 19, wherein the mode of operation determines whether incoming calls are accepted or directed to a voice mailbox.

Claim 38 (Previously Presented): The method according to claim 28, wherein the mode of operation determines whether incoming calls are accepted or directed to a voice mailbox.

Claim 39 (Previously Presented): The mobile communication device according to claim 19, wherein said selection module is further configured to evaluate a body position of the user and a noise level of an environment, and said operational module is further configured to choose a soundless mode of operation of the mobile communication device based on the body position and the noise level.

Claim 40 (Previously Presented): The method according to claim 28, wherein said evaluating further includes:

evaluating a body position of the user and a noise level of an environment,

and said adapting further includes,

choosing a soundless mode of operation of the mobile communication device based on the body position and the noise level.